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PHILLIP A. TALBERT 1 Acting United States Attorney SHELLEY D. WEGER Assistant United States Attorney FILED 501 I Street, Suite 10-100 3 Sacramento, CA 95814 Telephone: (916) 554-2700 4 SEP 2 9 2016 Facsimile: (916) 554-2900 5 CLERK, U.S. DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA Attorneys for Plaintiff United States of America 6 7 IN THE UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 CASE NO. 2:16 - CR -190 TLN UNITED STATES OF AMERICA, 10 Plaintiff, 11 18 U.S.C. § 2252(a)(2) – Receipt of Child Pornography; 18 U.S.C. § 2253(a) - Criminal 12 Forfeiture v. JEFFREY MILES HAYES. 13 14 Defendant. 15 16 INDICTMENT 17 18 The Grand Jury charges: T H A T 19 JEFFREY MILES HAYES. defendant herein, between on or about March 7, 2016, and continuing through on or about August 1, 20 2016, in the County of Sacramento, State and Eastern District of California, did knowingly receive one 21 or more visual depictions, including, but not limited to "40a2d808-629a-4286-9135-e1ac8dfafd03.jpg," 22 "44a84ae2-d9de-4e8e-b26e-34d2ee502bee.jpg," "a30337d5-57fe-45da-988b-718bf7e95a5c.jpg," and 23 "fe579d2f-e03a-4507-be4d-909ab89d28c8.jpg," using a means and facility of interstate and foreign 24 commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, 25 by any means, including by computer; where the production of such visual depictions involved the use 26 of a minor engaging in sexually explicit conduct, and the visual depiction was of such conduct as 27 28

INDICTMENT

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defined in Title 18, United States Code, Section 2256(2), all in violation of Title 18, United States Code, Section 2252(a)(2).

PRIOR CONVICTION ALLEGATION:

The Grand Jury further alleges that at the time JEFFREY MILES HAYES committed the offense charged in this Indictment, he had been convicted in 2009 in the Superior Court of the State of California for Sacramento County for sending or bringing into state for sale or distribution; possessing, preparing, publishing, producing, developing, duplicating, or printing within the state; matter depicting sexual conduct by a minor, a violation of California Penal Code Section 311.1(A), such prior conviction relating to the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography.

<u>FORFEITURE ALLEGATION</u>: [18 U.S.C. 2253(a) – Criminal Forfeiture]

- 1. Upon conviction of the offense alleged in this Indictment, defendant JEFFREY MILES HAYES shall forfeit to the United States pursuant to 18 U.S.C. § 2253(a), any and all matter which contains visual depictions produced, transported, mailed, shipped or received in violation thereof; any property, real or personal, constituting or traceable to gross profits or other proceeds the defendant obtained as a result of the said violations; and any property, real or personal, used or intended to be used to commit and promote the commission of the violations, including, but not limited to the following:
 - a. One Apple iPad, serial number DMVGX7VWDFHW; and
 - b. One Toshiba laptop satellite P25-s520, serial number 44323122k.
- 2. If any property subject to forfeiture as a result of the offense alleged in this Indictment, for which defendant is convicted:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty,

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it is the intent of the United States, pursuant to 18 U.S.C. § 2253(b), to seek forfeiture of any other property of said defendant, up to the value of the property subject to forfeiture

United States Attorney

/s/ Signature on file w/AUSA FOREPERSON

A TRUE BILL.

INDICTMENT

No
UNITED STATES DISTRICT COURT
Eastern District of California
Criminal Division
THE UNITED STATES OF AMERICA vs.
JEFFREY MILES HAYES
<u>INDICTMENT</u>
VIOLATION(S): 18 U.S.C. § 2252(a)(2) – Receipt of Child Pornography; 18 U.S.C. § 2253(a) – Criminal Forfeiture
A true bill, /s/ Signature on file w/AUSA
Foreman.
Filed in open court this $29 - 29 - 29$ day
of Stongsel, A.D. 20 16
Bail, \$NO BAIL WARRANT
Muntflown
GPO 863 525

United States v. Jeffrey Miles Hayes

COUNT 1: JEFFREY MILES HAYES

VIOLATION: 18 U.S.C. § 2252(a)(2) – Receipt of Child Pornography with a Prior

Conviction

PENALTIES: Mandatory minimum of 15 years in prison and a maximum of up to 40

prison; or

Fine of up to \$250,000; or both fine and imprisonment

Supervised release of at least 5 years up to life

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

FORFEITURE ALLEGATION: Jeffrey Miles Hayes

VIOLATION: 21 U.S.C. § 2253(a) – Criminal Forfeiture

PENALTIES: As stated in the charging document